

REMARKS

A final Office Action mailed May 19, 2004 has been received and carefully reviewed. Claims 1-48 are pending in the application. Claims 26-48 have been allowed. Claims 49-85 have been cancelled. Claims 1, 4-8, 10, 12, 13, 19, 20, 23, and 24 have been rejected. Claims 2-3, 9, 11, 14-18, 21, 22, and 25 remain allowable if rewritten in independent form. Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claims 1, 4-8, 10, 12-13, 19-20, 23, and 24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Dasgupta et al* (of record). In the prior response, Applicant argued that *Dasgupta* fails to disclose, expressly or inherently, discontinuous cathode sheets each comprising a cathode layer and a current collector layer in the manner recited in Applicant's claim 1. In the final office action, the Examiner deems Applicant's prior argument non-persuasive, and reiterates that *Dasgupta* meets the subject matter of claim 1.

Applicant previously argued that *Dasgupta* fails to disclose current collector layers of adjacent cathode sheets separated by a gap as claimed in claim 1. Applicant referred to Figure 1 in *Dasgupta* showing a continuous current collector 6 that contacts discontinuous cathodes 4 separated by a gap.

In the final office action, the Examiner acknowledges that Applicant previously argued that the laminates 2 and 6 of *Dasgupta* are not discontinuous structures. The Examiner states that this is true, but adds that Applicant has not claimed in the current claims of record that the current collectors are discontinuous structures.

Respectfully, Applicant clarifies that claim 1 as originally presented and as currently pending expressly recites discontinuity between adjacent current collector layers, in addition to cathode layers. Applicant's claim 1 is presented below:

1. (Original) A thin-film electrochemical cell structure, comprising:
 - a cathode sheet layer comprising a series of discontinuous cathode sheets, each of the cathode sheets comprising:
 - a cathode layer; and
 - a current collector layer having a first surface contacting a first surface of the cathode layer;
 - a gap defined between adjacent ones of the cathode sheets; and
 - a solid electrolyte layer contacting a second surface of the cathode layer and extending across the gaps defined between the adjacent cathode sheets.

Claim 1 recites a cathode sheet layer comprising a series of cathode sheets, such that a gap is defined between adjacent ones of the cathode sheets. Each of the cathode sheets is recited as comprising a cathode layer and a current collector layer. The recited gap is thus defined between cathode sheets each having both a cathode layer and a current collector layer. Applicant's Figures 1 and 2, among others, show the claimed structure.

Because *Dasgupta* fails to describe each and every element as set forth in claim 1, either expressly or inherently, and because the identical invention recited in Applicant's claim 1 is clearly not shown in *Dasgupta* in as complete detail, a rejection based on 35 U.S.C. §102(b) can not be maintained.

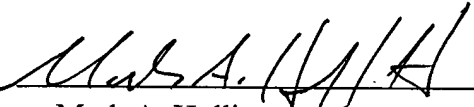
While Applicant does not acquiesce to the particular rejections of the claims depending from claim 1, it is believed that these rejections are now moot in view of the remarks presented above in connection with independent claim 1. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from *Dasgupta*. Therefore, the pending dependent claims are also in condition for allowance. Applicant, however, reserves the right to address these rejections should the Examiner maintain the rejection of the claims, notwithstanding Applicant's remarks presented hereinabove.

It is believed that claims 1-48 are allowable, timely notification of which is respectfully solicited. The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if there are any questions regarding the above new claims or if prosecution of this application may be assisted thereby.

Respectfully submitted,

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Attached: 2 return postcards.